



CASE HC/1-22604/A/PCT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Lynn Girolamo
Type or print name

Lynn Girolamo
Signature

2/21/07
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

Group Art Unit: 1751

VICTOR PAUL ELIU ET AL

Examiner: E. B. Elhilo

INTERNATIONAL APPLICATION NO. PCT/EP 03/00068

FILED: JANUARY 7, 2003

FOR: YELLOW CATIONIC DYES FOR DYEING

OF ORGANIC MATERIAL

U.S. APPLICATION NO: 10/501,576

35 USC 371 DATE: JULY 13, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

LETTER

Sir:

Enclosed herewith is a Terminal Disclaimer in the above identified application.

The Commissioner is hereby authorized to charge the \$130.00 fee and any additional fees that may be required to Deposit Account No. 03-1935. Two additional copies of this letter are enclosed for charging purposes.

Ciba Specialty Chemicals Corporation
Patent Department
540 White Plains Road
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(914) 785-2783
TAS/lg
Enc.
Date: February 21, 2007

Respectfully submitted,

Tyler A. Stevenson
Tyler A. Stevenson
Agent for Applicants
Reg. No. 46,388



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Terminal Disclaimer over U.S. Pat. No. 7,091,358 (37 CFR 1.321(c))

Sir:

I, Tyler A. Stevenson, represent that I am an Agent of record for this invention.

Ciba Specialty Chemicals Corporation, a corporation organized and existing under the laws of the State of Delaware, represents that it is the assignee of the entire interest in present app. No. **10/501,576** by virtue of an assignment not yet recorded in the United States Patent and Trademark Office.

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02 FC:1014 130.23 DA

Ciba Specialty Chemicals Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on application No. **10/501,576** which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. **7,091,358**, the patent forming the basis of the double patenting rejection. The owner hereby agrees that any patent so granted on application No. **10/501,576** shall be enforceable only for and during such period that it and the prior patent are commonly owned, this agreement to run with any patent granted on application No. **10/501,576** and to be binding upon the grantee, its successors and assigns.

Said U.S. Patent No. **7,091,358** is also entirely assigned to Ciba Specialty Chemicals Corporation by virtue of an assignment recorded on August 26, 2004, reel/frame 015723/0653 in the United States Patent and Trademark Office

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application No. **10/501,576** that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent No. **7,091,358**, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term.

Respectfully submitted,



Tyler A. Stevenson
Agent for Applicants
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